

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-13802 - APPLICANT/OWNER: MARTIN GREENWALD

**** CONDITIONS ****

The Planning Commission (4-0-1/sd vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Site Development Plan Review SDR-5190 is hereby expunged.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and building elevations, date stamped 05/26/06 and landscape plan date stamped 06/09/06 except as amended by conditions herein.
4. The proposed use of the building addition shall not contain a sexually oriented business as defined by Title 19. Conversion of the use to a sexually oriented business shall be cause for revocation of a business license. The building addition shall not have internal access to the existing sexually oriented business.
5. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit to reflect the provision of a rear (east) property line wall. The wall shall consist of a solid decorative block wall with at least 20 percent contrasting materials. A solid gate shall be provided to the emergency access at the rear of the property. Landscaping along the wall shall conform to the landscape plan date stamped 06/09/06.
6. A Waiver from Chapter 19.12 is hereby approved, to allow a seven foot two inch planter along the north property line, and a 10 foot wide planter along the west property line.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: The placement of a seven foot two inch wide landscape planter with three 24 inch box trees along the north property line immediately behind the proposed expansion and the existing sexually oriented business. No landscaping buffer is required for that portion of the north property line behind the existing garage.

8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
9. The 10-foot wide multi-use transportation trail path shall abut the front property line on private property, and the curbs along the access drive shall be ramped to provide a smooth transition of the trail across the drive. The property owner shall be responsible for maintenance of the trail path.
10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. Construct all incomplete half-street improvements on Rancho Drive and construct all incomplete half-street improvements on Lone Mountain Road from the Serene Drive entrance easterly to tie into existing improvements and appropriate transition paving westerly of the Serene Drive entrance, concurrent with development of this site. All

existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

18. Provide a copy of a recorded Joint Access Agreement or proof of existing access rights for use of Serene Drive (a private street) that extends to Lone Mountain Road and provide a copy of a recorded Joint Access Agreement with the site to the south (Assessor's Parcel Number 125-35-401-007) prior to the issuance of any permits. Construction of the full width of Serene Drive is required at this time from the northern boundary of this site to Lone Mountain Road meeting current City private street standards.
19. The proposed driveway accessing Rancho Drive shall be designed, located and constructed in accordance with Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation.
20. Extend public sewer in the Serene Drive alignment to the north edge of this development to a location and depth acceptable to the City Engineer unless an alternative alignment is approved by the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
22. Landscape and maintain all unimproved right-of-way, if any, on Rancho Drive adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping, if any, located in the Rancho Drive public right-of-way adjacent to this site prior to occupancy of this site.

24. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rancho Drive public right-of-way adjacent to this site prior to the issuance of any permits.
25. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed 7,465 square foot retail building on 1.84 acres at 4820 North Rancho Drive.

EXECUTIVE SUMMARY

Staff has included conditions of approval intended to address issues that the City Council raised when a similar development was considered in 2004. These issues include access to the site from Serene Drive (which is not a public-right-of-way) and the construction of a block wall along the east property line.

BACKGROUND INFORMATION

A) Related Actions

- 11/17/04 The City Council approved a request for a Site Development Plan Review (SDR-5190) and Waivers of the perimeter and parking lot landscape requirements for a 7,660 square foot commercial addition on the subject property. At this meeting, the City Council added a condition which required a solid wall to be placed along the rear (east property line). The wall was to include a gate which was only to be used for emergency purposes. Staff has included condition of approval number five on the subject application to address this issue.
- 07/13/06 The Planning Commission voted 4-0-1/sd to recommend APPROVAL (PC Agenda Item #71/ar).

B) Pre-Application Meeting

- 03/07/06 Staff explained the requirements of a Site Development Plan Review application. Staff also told the applicant that the existing sexually oriented business on this site can not be expanded into this new building and there can be no internal access between the existing and new development.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.07

B) *Existing Land Use*

Subject Property: Commercial
North: Undeveloped
South: Undeveloped
East: Residential
West: Commercial

C) *Planned Land Use*

Subject Property: GC (General Commercial)
North: GC (General Commercial)
South: GC (General Commercial)
East: GC (General Commercial)
West: SC (Service Commercial)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial)
R-E (Residence Estates)
West: C-2 (General Commercial)

E) *General Plan Compliance*

The site is located in the Centennial Hills Sector of the General Plan. On the Centennial Hills Interlocal Land Use Map, the land use designation of the property is GC (General Commercial). The property is zoned C-2 (General Commercial) which is a zoning district permitted in the GC land use classification.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

The Transportation Trails Element of the General Plan indicates that a 10 foot wide Multi-Use Transportation Trail is required along the west property line of this site, adjacent to Rancho Drive. Staff has included condition eight to clarify the location of the trail

PROJECT DESCRIPTION

This application for a Site Development Plan Review which includes a 7,465 square foot retail store addition, a facelift of the existing building on the property, and landscaping. The existing building consists of two businesses, Sun Valley Automotive (automotive repair shop), and Rancho Adult Entertainment Center (a sexually oriented business). Access to the site is shown from Rancho Drive, and from a private drive which is identified as Serene Drive. The existing parking lot will be expanded to accommodate a total of 86 spaces. A 10 foot wide multi-use transportation trail is shown in the west portion of the site.

New landscaping, consisting of a ten foot wide planter along Rancho Drive, a 20 foot wide planter along the east property line, and a landscape area that varies in width from 0 to 60 feet. Planter islands with trees, shrubs and ground cover are proposed for the expanded parking lot.

The existing structure will receive a new plaster exterior treatment that is the same as is proposed for the building addition. The building will have a typical height of 17 feet, with decorative roof parapets at a height of 26 feet.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	2.07 acre	Y
Min. Lot Width	100 Feet	200 Feet	Y
Min. Setbacks			
• Front	20 Feet	33 Feet	Y
• North Side	10 Feet	10 Feet	Y
• South Side	10 Feet	140 Feet	Y
• Rear	20 Feet	52 Feet 3 inches	Y
Max. Lot Coverage	50 %	17.8 %	Y
Max. Building Height	N/A	1 story 26 feet	Y
Trash Enclosure	50 Feet from residential	180 feet from residential	
Loading Zone	2 spaces	2 spaces	Y

The proposed building meets the setback standards of the C-2 (General Commercial) district.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The decorative roof parapets that are 26 feet in height are required to be at least 78 feet from the residentially zoned property at 4820 Serene Drive. The parapets are 130 feet from that property and comply with the Residential Adjacency Standards. The remainder of the building is 17 feet in height and must maintain a setback of 51 feet from residential. A setback of 52 feet three inches is depicted on the site plan.
- b) Building setback. The Standards require commercial buildings to maintain a setback equal to or greater than the required setback of adjacent residential property. The R-E (Residence Estates) property adjacent to the east property line of this site has a front setback of 50 feet. The 52 foot three inch setback of the proposed building meets this requirement.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Garage (existing)	1560 SF.	5 spaces plus 1/200 GFA	13			
Sexually Oriented Business (existing)	5,307 SF	1/200 GFA	27			
Retail (proposed)	7,465 SF	1/175 GFA	43			
TOTAL			83	4	86	6

Sufficient parking is provided for the existing and proposed uses.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	14 Trees	15 Trees
Buffer:			
• Min. Trees	1 Tree/30 Linear Feet	35 Trees	32 Trees
• Min. Zone Width			
Rancho Drive	15 Feet		10 Feet
Serene Drive	15 Feet		20 Feet
North property line	8 Feet		7 Feet 2 Inches along the eastern portion
South property line	8 Feet		20 Feet

The Landscaping Standards require an eight foot wide landscape buffer along the north property line. Staff has no objection to the applicants requested waiver to reduce the width of the buffer to seven feet two inches, but does find that the planter should be extended to include the area behind a portion of the existing building. Three additional trees should be included within the extended area. Because the existing garage has a driveway on the north side of the building, staff is not requesting landscaping on that portion of the site. This issue has been addressed in condition number six.

Additionally, the Standards require a 15 foot wide planter along the west property line, adjacent to Rancho Drive. Because the location of the existing building and parking lot inhibit the placement of additional landscaping in this portion of the site, staff has no objection to a waiver to allow a 10 foot wide planter.

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-2 (General Commercial). The proposed commercial building is a permitted use in this Zone.

- Site Plan

The setbacks shown on the site plan meet the development standards of the C-2 (General Commercial) zoning district. On November 17, 2004, the City Council approved a similar request for a Site Development Plan Review (SDR- 5190) on the subject property. At this meeting, the City Council added a condition which required a solid wall to be placed along the rear (east property line). The wall was to include a gate which was only to be used for emergency purposes. Staff has included condition of approval number five on the subject application to address this issue.

- Waivers

The Landscaping Standards require an eight foot wide landscape buffer along the north property line. The applicant has requested a waiver to reduce the width of the buffer to seven feet two inches. Staff has no objection but does find that the planter should be extended to include the area behind a portion of the existing building. Because the existing garage has a driveway on the north side of the building, staff is not requesting landscaping on that portion of the site. This issue has been addressed in condition number six.

Additionally, the Standards require a 15 foot wide planter along the west property line, adjacent to Rancho Drive. Because the location of the existing building and parking lot inhibit the placement of additional landscaping in this portion of the site, staff has no objection to a waiver to allow a 10 foot wide planter.

- Landscape Plan

With the exception of the north and west property lines, the landscape plan meets the landscape standards of the Zoning Code.

- Elevation

Along with a new building addition, the existing building will be refurbished with a new façade that will integrate with the building addition. The plaster on the old building will match the new building in a light tan. A new decorative fascia with neon banding is depicted.

- Floor Plan

The floor plan is typical of a retail business.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed development will be consistent with the existing and proposed development in the vicinity of this request.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The Landscaping Standards require an eight foot wide landscape buffer along the north property line. The applicant has requested a waiver to reduce the width of the buffer to seven feet two inches. Staff has no objection but does find that the planter should be extended to include the area behind a portion of the existing building. Because the existing garage has a driveway on the north side of the building, staff is not requesting landscaping on that portion of the site.

3. **“Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”**

The submitted development plan indicates that this site will receive access to Lone Mountain Road from a private driveway (Serene Drive) located on the east side of the site. On November 17, 2004, the City Council approved a similar request for a Site Development Plan Review (SDR-5190) on the subject property. At this meeting, the City Council added a condition which required a solid wall to be placed along the rear (east property line). The wall was to include a gate which was only to be used for emergency purposes.

4. “Building and landscape materials are appropriate for the areas and for the City;”

The building and landscape materials are appropriate for the area and for the city.

5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”

The building elevations are appealing; compatible with newer, recent development in the area; and will foster an aesthetic environment that is compatible with the existing residences to the rear of the site and to future development on both sides.

6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”

The proposed changes will not compromise the public health or general welfare.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 228 by Planning Department

APPROVALS 0

PROTESTS 0